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DELL'OSSO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE E. BARICH and LAURIE
ALDERMAN,

Plaintiffs,

v.

CITY OF COTATI and JOHN A.
DELL'OSSO,

Defendants.

) Case No. 21-cv-00034-EMC

)
) **DEFENDANTS' OBJECTIONS TO**
) **PLAINTIFF'S EXHIBITS**

) Date: December 20, 2022
) Time: 10:00 a.m.
) Courtroom: Courtroom 5
) 450 Golden Gate Ave.
) 17th Floor, San Francisco
) Judge: The Honorable Edward M. Chen
) Trial: January 30, 2023
)
)
)

1 Plaintiffs have filed a joint exhibit list as Amended Appendix A to the pretrial conference
2 order. Defendants repeatedly attempted to meet and confer with Plaintiffs on admissibility of
3 exhibits, but that has not happened yet, but we will further attempt to meet and confer before the
4 pretrial conference. Therefore, Defendants separately file this objection to the exhibits proposed by
5 Plaintiffs as follows:

6 Plaintiffs have declined to indicate the purpose for which various exhibits are being offered,
7 despite Defendants' requests. Therefore, Defendants cannot directly respond to any purported basis
8 for finding such documents relevant to the issues of the case.

9 A substantial number of the exhibits concern videos of council meetings, and their minutes,
10 other than the three meetings which are the subject of this litigation. See Defendants' Motion in
11 Limine No. 2.

12 Defendants make the following specific objections.

13 Exhibit 1: Relevance (FRE 402), more prejudicial than probative (FRE 403), hearsay (FRE
14 802), improper opinion (FRE 701, 702).

15 Exhibits 2-16: All of the reasons stated in Defendants' Motion in Limine No. 2.

16 Exhibit 19: Relevance (FRE 402), more prejudicial than probative (FRE 403), hearsay (FRE
17 802), improper opinion (FRE 701, 702).

18 Exhibit 20: Relevance (FRE 402), more prejudicial than probative (FRE 403), hearsay (FRE
19 802), improper opinion (FRE 701, 702).

20 Exhibit 22: Relevance (FRE 402), more prejudicial than probative (FRE 403), hearsay (FRE
21 802), improper opinion (FRE 701, 702).

22 Exhibit 23: Relevance (FRE 402), more prejudicial than probative (FRE 403), hearsay (FRE
23 802), improper opinion (FRE 701, 702).

24 Exhibit 26: Object to the extent that it has not been authenticated.

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Exhibits 27-29: All of the reasons stated in Defendants' Motion in Limine No. 2.

Dated: December 16, 2022

GIBBONS & CONLEY

By: /s/ Peter Urhausen

PETER URHAUSEN, ESQ.

SEAN CONLEY, ESQ.

Attorney for Defendants, CITY OF COTATI and
JOHN A. DELL'OSSO